

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of Pacific Bell Telephone Company (U 1001 C) for Authority Pursuant to Public Utilities Code Section 851 to Lease Space in Administrative Buildings and Central Offices and to Transfer Assets to SBC Advanced Solutions, Inc.

Application 00-01-023
(Filed January 14, 2000)

**ADMINISTRATIVE LAW JUDGE'S RULING SETTING
PREHEARING CONFERENCE ON JANUARY 16, 2002**

This proceeding has been stayed three times at the request of Pacific Bell Telephone Company (Pacific) and other parties to consider implications of a Circuit Court ruling on Pacific's proposed transfer of \$123 million in assets and other resources to SBC Advanced Solutions, Inc.

This ruling sets a prehearing conference for 1:30 p.m., Wednesday, January 16, 2002, to consider the need for and nature of further proceedings in this application.

Specifically, the parties will be asked to respond to the following questions, among others:

1. Has Pacific reached a decision on whether to formally transfer assets and resources to ASI or, alternatively, to reintegrate advanced services operations into Pacific and other SBC incumbent local exchange carriers?
2. What is the effect, if any, of the decision in *Association of Communications Enterprises v. Federal Communications Commission* (D.C. Cir. 2001) 235 F.3d 662, on the proposed transfer of broadband and other advanced services to ASI?

3. Does the *Communications Enterprises* decision change the manner in which this Commission will regulate ASI services?

4. Does the *Communications Enterprises* decision change any of the conditions that protesting parties have proposed in connection with the transfer of assets?

5. Should the record be re-opened and further hearings conducted in view of the Circuit Court's conclusion that ASI is a successor and assign of Pacific?

6. If further hearings are deemed necessary, when should they be conducted and on what issue or issues should they be focused?

IT IS RULED that a prehearing conference to consider the matters set forth in this ruling will be conducted beginning at 1:30 p.m., Wednesday, January 16, 2002, in the Commission Hearing Room B, State Office Building, 505 Van Ness Avenue, San Francisco, California.

Dated December 14, 2001, at San Francisco, California.

/s/ GLEN WALKER

Glen Walker
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail this day served a true copy of the original attached Administrative Law Judge's Ruling Setting Prehearing Conference on January 16, 2002, on all parties of record in this proceeding or their attorneys of record.

Dated December 14, 2001, at San Francisco, California.

/s/ JEANNIE CHANG

Jeannie Chang

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at (415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.

A.00-01-023 GEW/jyc